

JUL 01 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application

Inventor(s): G. Ganga Raju

Appln. No.: 09/463,024

Confirm. No.: 5778

Filed: February 15, 2002

Title: HYDROXYCITRIC ACID COMPOSITIONS,  
PHARMACEUTICAL AND DIETARY  
SUPPLEMENTS AND FOOD PRODUCTS MADE  
THEREFROM, AND METHODS FOR THEIR USE IN  
REDUCING BODY WEIGHTPATENT APPLICATION

Art Unit: 1615

Examiner: Vanik, David L.

Atty. Docket No.: IHEAL-01063US1

Customer No. 23910

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8**  
I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, Facsimile No. (703) 872-9306, on the date shown below.

Mathew Oris

Signature Date:



(Signature)

July 1, 2005

TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following documents are transmitted herewith for filing in the subject application:

- 1) Power of Attorney to Prosecute Applications Before the USPTO;
- 2) Statement Under 37 C.F.R. § 3.73(b); and
- 3) Copy of Assignment to Interhealth Nutraceuticals, Inc.

No fee is believed due in connection with this transmittal. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Date: 7/1/05

Respectfully submitted,

By: 

Anthony G. Craig  
Reg. No. 50,342

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800  
Customer No.: 23910

JUL 01 2005

PTO/SB/80 (11-04)

Approved for use through 11/30/2005. OMB 0851-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23910

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

23910

OR

<input type="checkbox"/> Firm or Individual Name	Fliesler Meyer LLP		
Address	Four Embarcadero Center, Fourth Floor		
City	San Francisco	State	CA Zip 94111-4156
Country	United States		
Telephone	415.362.3800	Fax	415.362.2928


Assignee Name and Address:

InterHealth Nutraceuticals Incorporated  
5451 Industrial Way  
Benicia, CA 94510

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	7/4/05
Name	William Seroy	Telephone	(707) 751-2800
Title	Chief Executive Officer and President		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: IHEAL-00300US0 SRM

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RECEIVED  
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Art Unit: 1615

Examiner: Vanik, David L.

Atty. Docket No.: IHEAL-01063US1

Customer No. 23910

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

InterHealth Nutraceuticals, Inc. states that it is:

- ☒ the assignee of the entire right, title, and interest; or  
☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of an assignment from the inventor(s) of  
the patent application/patent identified above.

- ☒ The assignment was recorded in the United States Patent and Trademark Office  
on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is  
attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to  
the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office on \_\_\_\_\_ at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office on  
at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

The undersigned whose signature and title is supplied below is authorized to act on behalf of the assignee.

Name Anthony G. Craig  
Signature [Signature] Date 7/1/05  
Title Attorney - Registration No. 50,342 Telephone 415-362-3800

## SOLE TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned, G. Ganga Raju, a resident of Vijayawada, India, (hereinafter termed "Inventor"), has invented certain new and useful improvements in:

**HYDROXYCITRIC ACID COMPOSITIONS, PHARMACEUTICAL AND DIETARY SUPPLEMENTS AND FOOD PRODUCTS MADE THEREFROM, AND METHODS FOR THEIR USE IN REDUCING BODY WEIGHT**

and has executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 15th day of February, 2002, and assigned U.S. Patent Application No. 09/463,024.

WHEREAS InterHealth Nutraceuticals, Inc. (hereinafter termed "Assignee"), a corporation of the State of California, having a place of business at 5451 Industrial Way, Benicia, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any and all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventor hereby covenants and agrees to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventor shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any

Attorney Docket No.: INHEAL-01063US1  
SRM/AGC/IREAL/1063/1063US1//sole assignment

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of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefore and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, said Inventor's heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that said Inventor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed this instrument on the date as given below and delivered this instrument to said Assignee:

June 16, 2005

Date

G. Rama Raju  
G. Rama Raju

Signature of Witness:

Signature: G. Rama Raju

Name: G. RAMA RAJU

Date: \_\_\_\_\_

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